

CLERK
U.S. BANKRUPTCY
COURT - WDPa

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)	Case No. 18-23674 GLT
)	Chapter: 13
Robert A. Raineri)	
Jennifer L. Raineri,)	
<i>Debtors</i>)	Docket No. 144 and 156
)	
Robert A. Raineri,)	
<i>Movant</i>)	
)	
VS.)	
)	
Allegent Community FCU, Ally Bank, American Express)	
National Bank, Avant, Bank of America, barclays Bank)	
Delaware, Capital One, JPMorgan Chase Bank, Comenity Bank/)	
Express, Comenity Bank/Victoria's Secret, County of Washington,)	
Credit One Bank, DSNB Macy's, Discover Financial Services,)	
First Premier Bank, Ford Motor Credit, Internal Revenue)	
Service, Jefferson Capital Systems, LLC, Jordan Tax Service,)	
Kohl's/CapOne, LVNV Funding, Lending Club Corp., Merrick)	
Bank, Midland Funding, Nationstar Mortgage LLC/Mr. Cooper,)	
Oliphant USA, LLC, OneMain, PA Dept. of Revenue, PNC Bank)	
Retail Lending, PRA Receivables Management, Peoples Natural)	
Gas Company LLC, Premier Bankcard, Quantum3 Group LLC,)	
Synchrony Bank, THD/CBNA, Township of North Fayette, West)	
Washington School District, US Dept. of Education, Verizon,)	
WebBank/Fingerhut, Westlake Financial Services, and)	
Ronda J. Winnecour, Trustee)	
<i>Respondents</i>)	

ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY
FREE AND DIVESTED OF LIENS

AND NOW, this 1st day of November 2022, on consideration of the Debtor's Motion for Sale of Property Free and Divested of Liens to Jeff Hickman, for \$148,000.00, after hearing held via Zoom, this date, the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above-named Respondent, was effected on the following secured creditors whose liens are recited in said Motion for Private sale, viz:

DATE OF SERVICE **NAME OF LIENOR AND SECURITY**

October 3, 2022	Nationstar Mortgage LLC d/b/a Mr. Cooper
	ATTN: Bankruptcy Department
	PO Box 619096
	Dallas, TX 75261-9741

October 3, 2022 Brian C. Nicholas, Esq.
 KML Law Group, PA
 701 Market Street, Suite 5000
 Philadelphia, PA 19106

October 3, 2022 Ronda J. Winnecour
 Suite 3250, USX Tower
 600 Grant Street
 Pittsburgh, PA 15219

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of serviced duly filed and that the named parties were duly served with the Motion.

(3) That said sale hearing was duly advertised on the Court's website pursuant to *W.P.A LBR 6004-1(c)(2)* on October 4, 2022, Observer-Reporter on October 6, 2022 and in the Washington County Legal Journal on October 13, 2022 as shown by the Proof of Publications that are to be duly filed.

(4) That at the sale hearing the highest/best offer received was that of the above Purchasers and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$148,00,000.00 by Jeff Hickman was a full and fair price for the property in question.

(6) That the Buyer has acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d.143 (*3d Cir. 1986).

Now therefore, **IT IS ORDERED, ADJUDGED AND DECREED**, that the sale by Special Warranty deed of the real property described 11 Fort Cherry Road, McDonald, PA 15057 in Washington County is hereby **CONFIRMED** to Jeff Hickman for \$148,000.00, free and divested of the above recited liens and claims, and, that the Movants are authorized to make, execute and deliver to the Buyers above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED, that the above recited liens and claims, be, and they hereby, are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

FURTHER ORDERED, that the following expenses/costs shall immediately be paid at the time of closing. ***Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions***, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.

- (1) The following liens(s)/claim(s) and amounts; U.S. Bank Trust National Association in the approximate amount of \$86,448.52. The exact pay-off amounts will be determined when the closing agent obtains the pay-offs at the time of the closing, parties will be paid in full at closing. The mortgage will be paid in full at the time of closing;
- (2) Delinquent real estate taxes and municipal fees, if any;
- (3) Current real estate taxes, pro-rated to the date of closing;
- (4) Normal closing costs including title search, legal fees, revenue stamps, and any other normal and necessary closing costs;
- (5) The Court approved realtor commission in the amount of \$8,880.00 plus \$395.00 for a total of \$9,275.00
- (6) The Court approved attorney fees in the amount of \$2,830.00 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219 are to be paid from the Debtor, Robert A. Raineri's proceeds;
- (7) The Court filing fee of \$188.00 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219;
- (8) The costs of local newspaper advertising in the amount of \$270.70 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219;
- (9) The costs of legal journal advertising in the amount of \$178.75 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219;
- (10) Chapter 13 Trustee "percentage fees" in the amount of \$333.80 payable to "Ronda J. Winnecour, Ch. 13 Trustee, P. O. Box 2587, Pittsburgh, PA 15230";
- (11) The Debtor is to receive up to \$13,020.00 pursuant to 11 U.S.C. §522(d)(5).
- (12) The remaining net proceeds, after payment of the Debtor's exemption in paragraph (11) above, as identified on the ALTA or HUD-1, shall be paid to the Chapter 13 Trustee payable to "Ronda J. Winnecour, Ch. 13 Trustee, P. O. Box 84051, Chicago, IL 60689-4002;" which sum is to be designated as additional plan funding, i.e., it shall not reduce the plan payment obligations in the plan and that, after deduction of Trustee fees, it shall be earmarked for distribution to prepetition priority and general non-priority unsecured creditors, in order of priority, so far as the proceeds go. It is further ORDERED that this requirement is incorporated into and shall govern any currently confirmed plan or pending plan, and shall be deemed incorporated into and govern any subsequently proposed plan.;
- (13) Other: Notwithstanding any provision in the sale agreement to the contrary, any disputes or claims that arise under the agreement shall be submitted to the Bankruptcy Court for disposition.

FURTHER ORDERED that:

- (1) ***Within seven (7) days of the date of this Order***, the Movants/Plaintiffs shall serve a copy of the within *Order* on each Respondents/Defendants (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney of the Debtors, the Closing Agent, the Purchasers, and the attorney for the Purchasers, if any, and file a certificate of service.
- (2) ***Closing shall occur within ninety (90) days of this Order.***

- (3) ***Within seven (7) days following closing***, the Movants/Plaintiffs shall file a ***Report of Sale*** which shall include a copy of the HUD-1 or other Settlement Statement; and,
- (4) This *Sale Confirmation Order* survives any dismissal or conversion of the within case.
- (5) It is the responsibility of the closing agent to distribute in accordance with this Order of Court.
- (6) The sale of the property is “as is, where is”.
- (7) The United States Bankruptcy Court for the Western District of Pennsylvania retains jurisdiction should any issue arise from the sale of the property.
- (8) The attorney for US Bank Trust National Association was emailed regarding the proposed changes to this order on Friday, October 28, 2022 and Monday, October 31, 2022 and emphasis was placed on the need for a quick response. No response has been received from the attorney and the debtor is filing it without his signature to ensure that the court’s deadline is met in a timely manner.



Honorable Gregory Taddonio **hct**
United States Bankruptcy Judge

Consented to by:

/s/ Julie Frazee Steidl
Julie Frazee Steidl, Esq.
Attorney for the Debtors

/s/ Owen Katz
Owen Katz, Esq.
Office of the Chapter 13 Trustee

In re:
Robert A. Raineri
Jennifer L Raineri
Debtors

Case No. 18-23674-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 02, 2022

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 04, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Robert A. Raineri, Jennifer L Raineri, 611 Harvester Drive, Oakdale, PA 15071-9393

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 04, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 1, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor U.S. BANK TRUST NATIONAL ASSOCIATION cwohrlab@raslg.com
Charles Griffin Wohlrab	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association cwohrlab@raslg.com
Garry Alan Masterson	on behalf of Creditor Ford Motor Credit Compnay LLC pitecf@weltman.com
Garry Alan Masterson	on behalf of Creditor HTD Leasing LLC, d/b/a Ford Motor Credit Company, LLC pitecf@weltman.com

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Nov 02, 2022

Form ID: pdf900

Total Noticed: 1

Garry Alan Masterson

on behalf of Creditor Ford Motor Credit Company LLC pitecf@weltman.com

Jeffrey R. Hunt

on behalf of Creditor Township of North Fayette/West Allegheny School District jhunt@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor County of Allegheny jhunt@grblaw.com

Julie Frazee Steidl

on behalf of Joint Debtor Jennifer L Raineri julie.steidl@steidl-steinberg.com
leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;jseech@steidl-steinberg.com

Julie Frazee Steidl

on behalf of Debtor Robert A. Raineri julie.steidl@steidl-steinberg.com
leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;jseech@steidl-steinberg.com

Lorraine Gazzara Doyle

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper ldoyle@logs.com
diane@mvrllaw.com;bankruptcy@friedmanvartolo.com

Maria Miksich

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper mmiksich@kmlawgroup.com

Matthew Christian Waldt

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper mwaldt@milsteadlaw.com bkecf@milsteadlaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 16